

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. [19-md-02913-WHO](#) (JSC)

**IN RE JUUL LABS, INC.,
MARKETING, SALES PRACTICES &
PRODUCTS LIABILITY LITIGATION**

**ORDER REGARDING PRODUCTION
OF PMTA**

Re: Dkt. No. 1022

Plaintiffs ask the Court to compel the production of defendant Juul Labs, Inc.'s (JLI) final Premarket Tobacco Product Application (PMTA). JLI argues that discovery of its PMTA, and related discovery covering drafts, referenced studies, expert support, etc., should be stayed pending the FDA's ultimate determination on its PMTA. In the alternative, JLI would be willing to produce the final PMTA only if plaintiffs agree to production of some categories of related information (supplements to the PMTA, final research studies, custodian communications regarding "the science") but agree not to seek other categories of related information (drafts and communications not regarding "the science") and agree to specific staging of certain expert depositions. Dkt. No. 1022.

Plaintiffs' motion to compel is GRANTED. JLI shall produce the final PMTA within seven days of the date of this Order. There is no reason (as a matter of law or obvious burden) why discovery into the PMTA should be stayed. After the final PMTA is produced, plaintiffs shall inform JLI as to the PMTA-related discovery they seek, prioritizing categories of related-to discovery and suggesting reasonable staging of that discovery.

IT IS SO ORDERED.

Dated: October 8, 2020


JACQUELINE SCOTT CORLEY
United States Magistrate Judge